

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DOC #:

DATE FILED:

6/20/08

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JAMES M. BURKE, et al.,

Plaintiffs,

-against-

HESTIA HOLDINGS, LLC, et al.,

Defendants.

Civil Action No.: 07-9909 (HB)

**CONSENT ORDER REGARDING  
WITHDRAWAL OF COUNSEL FOR  
PLAINTIFFS AND COUNTERCLAIM  
DEFENDANTS**

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HESTIA HOLDINGS, LLC, et al.,

Counterclaimants,

-against-

JAMES BURKE, et al.,

Counterclaim Defendants.

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THIS MATTER HAVING been opened to the Court upon the application of  
Phillips McFall McCaffrey McVay & Murrah, P. C. and Entwistle & Cappucci LLP, attorneys  
for plaintiffs and counterclaim defendants in the above-captioned action, for leave to withdraw  
from their representation of plaintiffs and counterclaim defendants; and it,

APPEARING that plaintiffs and counterclaim defendants consent to this  
withdrawal and are desirous of having Sneed Lang, P.C., 1700 Williams Center Tower 1, One  
West Third Street, Tulsa, Oklahoma 74103 and Smith Campbell, LLP, 110 Wall Street, New  
York, New York 10005 substitute in as attorneys of record for them; and it,

FURTHER APPEARING that Steven K. Balman, Esq. of the Sneed Lang, P.C.,

having closely monitored this action as personal attorney for plaintiff and counterclaim defendant Bradley L. Grow, is fully conversant with the facts of this case; and it,

FURTHER APPEARING that the defendants and counterclaimants consent to this substitution of counsel; and it,

FURTHER APPEARING that this substitution is not taken for the purposes of delay; and it,

FURTHER APPEARING that substituting counsel affirmatively represent that they will not seek any adjournment of the Court's Pretrial Order of January 24, 2008 by reason of this substitution; and it,

FURTHER APPEARING that the parties and incoming counsel agree that this order may be executed simultaneously or in counterparts, each of which shall be deemed to be an original, but all of which shall constitute one and the same instrument; and that a signature by facsimile shall constitute an original signature;

IT IS on this 20 day of June, 2008

ORDERED that Sneed Lang, P.C. (subject to Steven K. Balman's making application for admission pro hac vice) and Smith Campbell, LLP shall be and hereby are substituted into the above-captioned action as attorneys of record for plaintiffs and counterclaim defendants.

*Done on consent of all concerned.*

*Harold Baer Jr.*

HONORABLE HAROLD BAER, JR., U.S.D.J.